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EXAMINER	
LEWIS, CHERYL RENEA	

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)	
	10/035,742	MILBY, GREGORY H.	
	Examin r	Art Unit	
	Cheryl Lewis	2167	

-- The MAILING DATE of this communication appears n the c ver she t with the c rrespondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the applicants' communication received on July 19, 2004.

2. Claims 1-40 are presented for examination.

3. The applicants have not filed an amendment to the claims or Specification.

4. Applicants' arguments received on July 19, 2004 have been fully considered but they are not deemed to be persuasive.

Response to Arguments

5. a. The applicant's arguments recite the following: "The Office concedes that "Asami does not track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage." (Page 4 of this Office action.) The Office goes on, however, to assert that Sit shows this element. Applicant disagrees. Sit teaches a tracking system that assigns "tracking identifiers" to fields of a database. The tracking identifiers ascribe meanings to the database fields that allow the tracking system to match related objects. The tracking system of Sit does not track the usage or accesses made to a database resource. It instead tracks or matches all related records based on their tracking identifiers. Sit is silent on tracking an amount of usage of an accessed resource." (page 8 lines 18-27)

a1. The Examiner respectfully disagrees with the applicant's arguments. Yes, in the Office Action of April 21, 2004, page 4, paragraph 6, the Office Action recites "However, Asami does not track an amount of usage of the accessed one or more resources and

storing an indication of the tracked amount of usage." The Examiner has relied on the secondary reference Sit to teach "track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage". It is the opinion of the Examiner that Sit clearly teaches "track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage". In fact, Sit teaches tracking an amount of usage of the accessed one or more resources. Sit's method comprises a universal tracking system. The tracking system has a tracking identifier that may consist of three positions or fields, each independently accessible in the database. The fields are of equal length to permit comparison of fields or positions of one record with different fields or positions of another record. A overlapping of fields permits many tracking permutations, and thus the universal tracking system is extremely versatile tracking system. Each field of the tracking identifier comprises five digits. The optimal number of digits in a field is based on the particular tracking application. For example, a tracking application that requires only 10,000 unique tracking numbers may use a tracking identifier that consists of four digits per field (Column 5 lines 55-67, Column 6 lines 1-18).

Therefore, in the above recited teachings of Sit, Sit clearly states that the tracking identifiers may consist of positions or fields. Each position or field is independently accessible in the database. The fields permit many tracking permutations by the universal tracking system which enables a versatile tracking system. Each field of the tracking identifier comprises five digits. The optimal number of digits in a field is based on a particular tracking application. Since, Sit's method comprises "five digits" and/or

an optimal number of digits within the field tracking identifiers, then this criterion alone meets the applicant's claimed requirement for "tracking an amount of usage". The claim language recites "an amount" and Sit provides a specific amount by indicating a particular number for the "amount" that can be stored within the field tracking identifiers. Sit's tracking system tracks the use of six digits per field, resulting in a tracking number of eighteen digits. Seven digits per position provides a 21 digit tracking identifier to generate unique tracking values (Column 6, lines 10-14). Again, Sit provides a specific number for the required "amount of usage", as well as generating "unique tracking values" for the claimed "amount of usage". Sit states that each position or field is independently accessible in the database. The accessibility of the position or field in the database meets the criterion for the applicant's claim requirement for accessing one or more resources. Further, the "accessing one or more resources" in the method of Sit is provided by a query process that generates, as input tracking identifier information and tracking requests and generates as output, tracking responses and records for a database (Column 6 lines 19-44). Likewise, Sit's universal tracking system has tables that includes three fields, a grandfather filed, a father field, and a son field. These fields provide the storage means of the storing an indication of the tracked amount of usage (Column 6 lines 61-67, Column 7 lines 1-16).

The applicant has not addressed the primary reference, Asami, and how Asami does or does not relate to the applicant's invention. The Examiner has relied on the Asami reference to teach receiving a query for data in the database system; determining if one or more resources are accessed I response to the query; storing data

according to a user-defined data type in the database system; and at least one of a user-defined data attribute and a user-defined data type method.

b. The applicant's arguments recite the following: "Furthermore, there is no teaching or suggestion in Sit that would motivate a person of ordinary skill in the art to add such a feature. Sit simply does not show or suggest the tracking of usage or accesses to a database resource."

b1. The Examiner respectfully disagrees with the applicant's arguments. Regarding the Asami and Sit references for the combined 103 rejection. It is believed that the combination of references does constitute a proper 103 rejection. Court rulings state (1) Common sense, an artisan is likely to extract more than a layman from reading a reference. Furthermore, as the Court has said "it is not necessary that the cited references or prior art specifically suggest making the combination."

In re Nilssen, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502 (CAFC 1988).

c. The applicant's arguments recite the following: "The Office has made contradicting statements regarding the Asami prior art. On page 4 of its action, the Office states: "Asami does not track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage." Applicant concurs with the Office in this finding. Indeed, Asami does not show or suggest tracking an amount of usage of accessed resources, nor does it teach the storing of an indication of the tracked amount of usage. On page 9 of its action, however, the Office makes a conflicting statement when it alleges that Asami "update[s] an indication (col. 4, lines 48-61) representing usage of the user-defined data type (col. 4, lines 64-67)." The Office can not have it both ways. Either Asami teaches tracking the usage of the database resource such as a user-defined data type and updating an indication of that usage, or it does not. At one point, the Office concedes that Asami does not teach this feature, and Applicant agrees. Applicant finds nothing in Asami that would teach or suggest tracking the usage or updating an indication of the usage of a database resource." (page 9 lines 5-18)

c1. The Examiner respectfully disagrees with the applicant's arguments. The Examiner finds the applicant's allegations to be confusing. Yes, page 4 of the Office Action recites "...Asami does not track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage." Page 9 of the Office Action states that Asami teaches an update an indication representing usage of the user-defined data type. The applicant should carefully review the statements cited on pages 4 and 9 of the Office Action. (1) The statement on page 4 of the Office Action states that Asami does not track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage. The claim limitations specified in this statement is regarding tracking an amount of usage of accessed resources and storing an indication of tracked amount of usage. The main features of this claim limitation is centered around "tracking" and amount and storage of a "tracked" amount. (2) The statement on page 9 of the Office Action states that Asami does teach an update of an indication that represents a usage of user-defined data type. The claim limitations specified within this statement is centered around an "updating an indication" of a usage of user-defined data type. If statement (1) involves "tracking and amount of usage" and "tracking the storage of that amount of usage" and statement (2) involves "updating an indication" of the usage of user-defined data type, then where is the contradiction within the Office Action and the contradiction of these two separate claim limitations? Again, statement (1) involves "tracking" and statement to involves "updating".

The Examiner asserts that tracking and updating have two different meanings. According to Webster's dictionary "tracking" means to follow the traces or footprints. Also, Webster's dictionary states that "updating" means to modify or to change in form or character and/or to alter. Therefore, if tracking is to follow in the traces of a particular data or component and updating means to change and/or alter data or a component from one form to another, then where is there a contradiction within these claim limitations?

d. The applicant's arguments recite the following: "Nowhere does Kosciuszko teach tracking an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage."

d1. The Examiner respectfully disagrees with the applicant's arguments. In the Office Action, the Examiner cited a 103 rejection with references Asami, Sit and Kosciuszko. In the rejection, the Examiner never relied on Kosciuszko to teach "tracking an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage." The rejection states that Kosciuszko teaches creating a table comprising a Structured Query Language Statement (Col. 3 lines 11-17 and 41-48, Col. 6 lines 22-48 and 63-67, Col. 7 lines 47-64). This claim limitation has not been addressed by the applicant with regards to the Kosciuszko reference.

e. The applicant's arguments recite the following: "Like the other references, Gilmour, Benhadda, Gatto, and Sevitsky do not show or suggest tracking an amount of usage of an accessed resource of a database as required by Applicant."

e1. The Examiner respectfully disagrees with the applicant's arguments. In the Office Action, the Examiner did not rely on Gilmour, Benhadda, Gatto, and Sevitsky to teach or

show tracking an amount of usage of an accessed resource of a database. (1) the Office Action states that Gilmour teaches an authorization code to determine access; (2) Benhadda teaches a data dictionary and tables in the dictionary; (3) Gatto teaches calculating a royalty; and (4) Sevitsky teaches the database system to further increment a count. Neither of these claim limitations have been addressed by the applicant with regards to the Gilmour, Benhadda, Gatto, and Sevitsky references.

It is respectfully submitted that the prior art of record, Asami, Sit, Kosciuszko, Gilmour, Benhadda, Gatto, and Sevitsky teach the limitations of the independent claims (1, 5, 9, etc.) presented in the arguments above. The remaining claims each comprise claim limitations corresponding substantially to the above-discussed claim limitations and are also addressed by the above remarks.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 3, 5, 7, 9, 11, 15-17, 20, 22, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Sit (Pat. No. 5,940,835 filed November 4, 1997).

8. Regarding Claims 1, 5, 9, 17, 20, 22, and 30, Asami teaches a method for querying a database in which a query statement is issued to a database management system for which data types can be defined.

The method and associated system for querying a database in which a query statement is issued to a database management system for which data types can be defined as taught or suggested by Asami includes:

receiving a query for data (Abstract, lines 2-14, col. 5, lines 15-18, 'The database management system 200 receives query statements containing a method for a user-defined type and retrieves data and database information (information about tables and rows from tables) as the results of the query...') in the database system (Abstract, lines 1 and 2, figure 1, element 200 'DBMS'); determining if one or more resources are accessed in response to the query (col. 4, lines 49-61, col. 5, lines 25-55); storing data (figure 2, element 301) according to a user-defined data type in the database system (col. 4, lines 64-67, 'A database management system 200 can handle user-defined types.'); at least one of a user-defined data type attribute (figure 12, element 1210 "Newspaper Articles") and a user-defined data type method (col. 5, lines 11-14, 'These functions of the user-defined types can be called by the query language as methods...').

However, Asami does not track an amount of usage of the accessed one or more resources and storing an indication of the tracked amount of usage.

Sit teaches tracking an amount of usage (col. 5, lines 55-67, col. 6, lines 1-18, '...the universal tracking system may include more than five digits per position or field...the use of six digits per field, resulting in a tracking number of eighteen digits...',

col. 6, lines 44-51, '...generate tracking values, for the tracking identifiers, in accordance with a pre-defined tracking scheme...') of the accessed one or more resources (figure 1, col. 6, lines 19-60, '...the query processing block 140 receives tracking requests from the user interface translator 120, and extracts information from the database 110 based on the tracking request...) and storing an indication (col. 6, lines 61-67, col. 7, lines 1-16) of the tracked amount of usage (col.13, lines 8-18 col. 15, lines 19-32, col. 16, lines 33-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the data fields of Asami's method with the data fields of Sit's method because Sit's method could provide specific field identifiers for the data fields of Asami's method, wherein the (specific) field identifiers are assigned tracking identifiers, the tracking identifiers track and define a data object that is related to data objects of one or more fields, and track and define data objects related to data objects involving an event and time of an event of one or more fields (col. 2, lines 1-35).

9. Regarding Claims 3 and 7, Asami teaches determining if at least one of a user-defined data type is accessed (col. 4, lines 64-67, col. 5, lines 1-25).

10. Regarding Claims 11 and 29, Asami teaches a flag to indicate the user-defined data type (col. 8, lines 57-62).

Sit teaches the tracking usage data means (col. 5, lines 55-67, col. 6, lines 1-18).

11. Regarding Claim 15, Asami teaches storing data (figure 3, element 301) according to second user-defined data type (col. 4, lines 64-67, col. 5, lines 1-18 and

24-55); and storing a second flag (col. 8, lines 57-62) associated with the second user-defined data type in the table (col. 5, lines 1-18).

12. Regarding Claim 16, Sit teaches a first value (column 13, lines 8-18, col.15, lines 19-32, col. 16, lines 33-67) and a second value (column 13, lines 8-18, col.15, lines 19-32, col. 16, lines 33-67) indicating tracking of usage of data.

13. Claims 2, 6, 10, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Sit (Pat. No. 5,940,835 filed November 4, 1997) as applied to claims 1, 5, 9, and 22 above, and further in view of Gatto (Pat. No. 6,510,419 B1 filed April 23, 1999).

14. Regarding Claims 2, 6, 10, and 23, Asami and Sit do not expressly teach calculating a royalty.

Gatto teaches calculating a royalty (Abstract, lines 1-18, '...analyst earnings estimates...precalculated data values...analysts based upon their historial earnings estimates as compared to actual earnings estimates over time, and other user-defined performance...', col. 18, lines 42-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the database methods of Asami and Sit with the tracking database method of Gatto because Gatto's tracking database method provides a graphical user interface for the visualization and calculation of historical earning estimates as compared to actual earning estimates over time to better predict future

earnings, based on a user-defined performance analysis set of parameters (col. 2, lines 38-67).

15. Claims 4, 8, 14, 18, 19, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Sit (Pat. No. 5,940,835 filed November 4, 1997) as applied to claims 1, 5, 9, and 22 above, and further in view of BenHadda et al. (Pat. No. 6,366,904 B1 filed November 25, 1998, hereinafter BenHadda).

16. Regarding Claims 4, 8, 14, 18, 19, 26, and 27, Asami and Sit do not expressly teach a data dictionary and tables in the dictionary.

BenHadda teaches a data dictionary (figure 2, element 27, col. 5, lines 1-15) and tables (figure 2, element 26, col. 5, lines 1-15) in the dictionary (figure 2, element 27, col. 5, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the databases of Asami and Sit with the database method of BenHadda because BenHadda's database method could provide the databases of Asami and Sit with an relational operation, wherein the relational operation organizes and defines the relation between rows of a table, the database tables containing more information about the variables of the tables, the variables representing attribute values of data within columns of tables (col. 5, lines 1-32).

17. Claims 12, 13, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Sit (Pat. No. 5,940,835 filed November 4, 1997) as applied to

claims 9 and 22 above, and further in view of Kosciuszko et al. (Pat. No. 6,560,593 B1 filed July 20, 1999, hereinafter Kosciuszko).

18. Regarding Claims 12, 13, and 28, Asami teaches an attribute (figure 12, element 1210 "Newspaper Articles") according to a user-defined data type (figure 4, elements 510-515).

However, Asami and Sit do not expressly teach creating a table.

Kosciuszko teaches creating a table comprising a Structured Query Language (col. 3, lines 11-17 and 41-48, col. 6, lines 63-67, col. 7, lines 47-64) CREATE TABLE statement (col. 6, line 22-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the query databases of Asami and Sit with the query database method of Kosciuszko because Kosciuszko's method could provide the query databases of Asami and Sit with an optimization plan, wherein the optimization plan consist of SQL statements that determine how effectively SQL statements are executed on a database and provides an ability to view the effects of changes, modification of an index, dropping an index, and/or adding a new index to the database tables of the optimization plan (col. 2, lines 25-64).

19. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Sit (Pat. No. 5,940,835 filed November 4, 1997) as applied to claim 9 above, and further in view of Gilmour (Pat. No. 6,647,384 B2 filed June 26, 2001).

20. Regarding Claim 21, Asami and Sit do not expressly teach an authorization code to determine access (Abstract, lines 1-9).

Gilmour teaches an authorization code to determine access (Abstract, lines 1-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the query methods of Asami and Sit with the query method of Gilmour because Gilmour's query method provides authorization requests, wherein an access request from a first user to access a profile of another user is detected by a detector, the detector sends access request information of the first user to the other user to verify the authorized request of the first user who is seeking to access user profile information of the other user (col. 2, lines 24-41).

21. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Sit (Pat. No. 5,940,835 filed November 4, 1997) as applied to claim 22 above, and further in view of Sevitsky et al. (Pat. No. 6,557,011 B1 filed October 31, 2000, hereinafter Sevitsky).

22. Regarding Claims 24 and 25, Asami and Sit do not expressly teach the database system to further increment a count.

Sevitsky teaches the database system to further increment a count (col. 14, lines 14-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the user-defined methods of Asami and Sit with the user-defined method of Sevitsky because Sevitsky's method enables a user to define

and specify a query criteria, wherein the query criteria comprises attributes of related entities, and a user-defined classification traces the classification and execution of those attributes in the database system (col. 3, 15-45).

23. Claims 31, 32, 36-38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Kosciuszko et al. (Pat. No. 6,560,593 B1 filed July 20, 1999, hereinafter Kosciuszko).

24. Regarding Claim 31, Asami teaches a storage subsystem (figure 1, element 200, col. 5, lines 14-18) to store a table (col. 1, lines 55-61, col. 5, lines 14-18, col. 6, lines 20-25); and a controller (col. 5, lines 19-22, figure 1, element 201); an attribute (figure 12, element 1210 "Newspaper Articles") according to a user-defined data type (col. 4, lines 64-67); and an update an indication (col. 4, lines 48-61) representing usage of the user-defined data type (col. 4, lines 64-67).

Asami does not expressly teach creating a table.

Kosciuszko teaches creating a table (col. 6, lines 22-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the query database method of Asami with the query database method of Kosciuszko because Kosciuszko's query database method could provide the query database of Asami with an optimization plan, wherein the optimization plan consist of SQL statements that determine how effectively SQL statements are executed on a database and provides an ability to view the effects of changes,

modification of an index, dropping an index, and/or adding a new index to the database tables of the optimization plan (col. 2, lines 25-64).

25. Regarding Claims 32 and 36, Asami teaches attributes (figure 12, element 1210 "Newspaper Articles") according to user-defined data type (col. 4, lines 64-67) and updating means (col. 4, lines 48-61).

Kosciuszko teaches creating a second table (col. 6, lines 22-48).

26. Regarding Claim 37, Asami teaches plural access modules (col. 1, line 67, col. 2, lines 1-2 and 16-19).

27. Regarding Claims 38 and 40, Asami teaches the controller (col. 5, lines 19-22, figure 1, element 201) of the user-defined function (col. 5, lines 11-14, 'These functions of the user-defined types can be called by the query language as methods...').

28. Claims 33 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Kosciuszko et al. (Pat. No. 6,560,593 B1 filed July 20, 1999, hereinafter Kosciuszko) as applied to claim 31 above, and further in view of Sevitsky et al. (Pat. No. 6,557,011 B1 filed October 31, 2000, hereinafter Sevitsky).

29. Regarding Claims 33 and 39, Asami and Kosciuszko do not expressly teach the database system to further increment a count.

Sevitsky teaches the database system to further increment a count (col. 14, lines 14-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Asami and Kosciuszko with the user-

defined method of Sevitsky because Sevitsky's method enables a user to define and specify a query criteria, wherein the query criteria comprises attributes of related entities, and a user-defined classification traces the classification and execution of those attributes in the database system (col. 3, 15-45).

30. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al. (Pat. No. 6,434,554 B1 filed September 9, 1999, hereinafter Asami) and Kosciuszko et al. (Pat. No. 6,560,593 B1 filed July 20, 1999, hereinafter Kosciuszko) as applied to claim 31 above, and further in view of BenHadda et al. (Pat. No. 6,366,904 B1 filed November 25, 1998, hereinafter BenHadda).

31. Regarding Claims 34 and 35, Asami and Kosciuszko do not expressly teach a data dictionary.

BenHadda teaches a data dictionary (figure 2, element 27, col. 5, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the query databases of Asami and Kosciuszko with the query database method of BenHadda because BenHadda's query database method could enable the databases of Asami and Kosciuszko to comprise a data dictionary, the data dictionary comprises tables containing more information about the variables of the tables, the variables representing attribute values of data within columns of tables (col. 5, lines 1-32).

32. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

NAME OF CONTACT

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 or (703) 305-9731.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Cheryl Lewis
Patent Examiner
January 7, 2004

GRETA ROBINSON
PRIMARY EXAMINER